

FORM PTO-1390
REV. 2/01

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

Attorney's Docket Number: 02481.1726

Customer No.: 22,852

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO.
(If known, see 37 CFR 1.5)

09/763733

INTERNATIONAL APPLICATION NO.

PCT/EP99/05980

INTERNATIONAL FILING DATE

August 14, 1999

PRIORITY DATE CLAIMED

August 29, 1998

TITLE OF INVENTION

MINI-BASKET FOR ANALYZING ACTIVE SUBSTANCE RELEASE
FROM A MEDICAMENT FORM

APPLICANT(S) FOR DO/EO/US


1) Petra LOOS, 2) Brigitte HORLE and 3) Rüdiger MERKEL

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☒ Other items or information:
 - a. ☒ Copy of cover page of International Publication No. WO 00/13012
 - b. ☒ Request for Approval of Drawing Change and a Copy of New Fig.2

U.S. APPLICATION NO. <u>09/17637</u> (If known, see 37 CFR 1.53)		INTERNATIONAL APPLICATION NO.: PCT/EP99/06880		ATTORNEY'S DOCKET NUMBER 02481.1726		
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search fee (37 CFR 1.445(a)(2)) paid to USPTO\$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4)\$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS PTO USE ONLY		
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$		
CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE		
Total Claims	24	- 20 =	4	x \$18.00	\$72.00	
Independent Claims	3	- 3 =	0	x \$80.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+\$270.00	\$	
TOTAL OF THE ABOVE CALCULATIONS =					\$932.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$	
SUBTOTAL =					\$932.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30					\$	
TOTAL NATIONAL FEE =					\$932.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.					\$40.00	
TOTAL FEES ENCLOSED =					\$972.00	
					Amount to be refunded:	\$
					charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>972.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO: Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, D.C. 20005-3315 EFC/FPD/sci DATED: February 27, 2001						
				 SIGNATURE Ernest F. Chapman/25.961 NAME/REGISTRATION NO.		

PATENT
Customer Number 22,852
Attorney Docket No. 2481.1726-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Petra LOOS et al.) Group Art Unit: Not yet assigned
)
U.S. National Filing of PCT/EP99/05980) Examiner: Not yet assigned
)
Serial No.: Unknown)
)
Filed: February 27, 2001)
)
For: MINI-BASKET FOR ANALYZING
ACTIVE SUBSTANCE RELEASE
FROM A MEDICAMENT FORM
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

REQUEST FOR APPROVAL OF DRAWING CHANGE

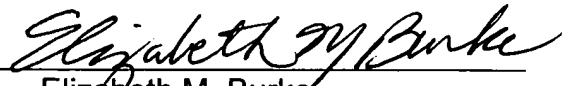
Subject to the approval of the Examiner, it is respectfully requested that new Fig. 2 be added to the above-captioned application. A copy of new Fig. 2 is attached.

Upon approval of the proposed changes, applicants respectfully request that the submission of revised drawings be deferred until after a notice of allowance has issued.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 27, 2001

By: 
Elizabeth M. Burke
Reg. No. 38,758

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, D. C. 20005
202-408-4000